

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.502 of 2007

Satchidanand Ramchandra

Petitioner

Vs.

Hanmant A. Mahangade & anr.

Respondents

Mr.J.B.Chaudhari i/b. Mr.Ashiksh Gaikwad for
petitioner.

Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

October 17, 2007.

P.C.

. Heard the learned counsel for the petitioner
who has been convicted and sentenced in C.C. No.
113/S/2004 by the learned Metropolitan Magistrate as
per his judgment and order dated 5/10/2006. While
admitting the appeal, the order of sentence has been
suspended pending final decision of the appeal on the
appellant depositing half of the cheque amount. This
order dated 8/11/2006 passed by the lower Appellate
Court has been challenged in this petition.

. It is clear from the order of conviction and
sentence dated 5/10/2006 that the accused clearly
stated before the trial Court that he was ready and
willing to make the payment of the cheque amount and

he also stated that he had already paid Rs.30,000/- to the complainant and further insisted that the payment will be made in cash. Once the accused had stated that he was ready and willing to pay the entire cheque amount, a challenge to the order directing to deposition 50 per cent of the cheque amount need not be entertained and in fact the lower

Appellate Court has already granted him concession.

. Hence the petition is rejected summarily.

Hearing of the appeal is expedited.

(B.H.MARL